

Introduced by Senator Kehoe

February 22, 2005

An act to repeal Section 116361 of the Health and Safety Code, relating to drinking water.

LEGISLATIVE COUNSEL'S DIGEST

SB 1067, as introduced, Kehoe. Drinking water: arsenic.

Existing law, the Calderon–Sher Safe Drinking Water Act of 1996, requires the State Department of Health Services to adopt regulations covering water testing, the monitoring of contaminants, the frequency and method of sampling and testing, the reporting of results, and other matters as may be necessary to determine and assure the quality of domestic water supplies. Existing law requires the Office of Environmental Health Hazard Assessment to perform a risk assessment and, based upon that risk assessment, to adopt a public health goal for contaminants in drinking water based exclusively on public health.

Existing law requires the office to adopt a public health goal for arsenic within a prescribed timeframe. Existing law also requires the department to commence the process of revising the primary drinking water for arsenic and adopt a revised standard not later than June 30, 2004.

This bill would repeal these requirements for the office and department relating to arsenic.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 116361 of the Health and Safety Code is
2 repealed.

3 ~~116361. (a) The Office of Environmental Health Hazard~~
4 ~~Assessment shall place a priority on the development of a public~~
5 ~~health goal for arsenic in drinking water, pursuant to subdivision~~
6 ~~(e) of Section 116365, sufficient to allow it to adopt the goal no~~
7 ~~later than December 31, 2002.~~

8 ~~(b) Commencing January 1, 2002, the department shall~~
9 ~~commence the process for revising the existing primary drinking~~
10 ~~water standard for arsenic, and shall adopt a revised standard for~~
11 ~~arsenic not later than June 30, 2004. In considering the~~
12 ~~technological and economic feasibility of compliance with the~~
13 ~~proposed standard pursuant to paragraph (3) of subdivision (b) of~~
14 ~~Section 116365, the department shall consider emerging~~
15 ~~technologies that may cost-effectively reduce exposure to arsenic~~
16 ~~in drinking water.~~

17 ~~(c) On or before December 31, 2002, the Secretary for~~
18 ~~Environmental Protection shall develop language regarding the~~
19 ~~health effects associated with the ingestion of arsenic in drinking~~
20 ~~water for inclusion in consumer confidence reports pursuant to~~
21 ~~Section 116470. On and after July 1, 2003, this language shall be~~
22 ~~included in the consumer confidence reports mailed or delivered~~
23 ~~to customers by each water system that measures arsenic in~~
24 ~~finished water at levels that exceed the applicable public health~~
25 ~~goal.~~

26 ~~(d) The language developed by the Secretary for~~
27 ~~Environmental Protection for use in consumer confidence reports~~
28 ~~to describe the health effects associated with the ingestion of~~
29 ~~arsenic in drinking water shall be developed in accordance with~~
30 ~~primacy requirements described in subdivision (c) of Section~~
31 ~~141.151 and subsections (b), (c), and (d) of Section 142.12 of~~
32 ~~Title 40 of the Code of Federal Regulations.~~

33 ~~(e) Nothing in this section affects or changes the date for~~
34 ~~implementation of a revised arsenic standard by public water~~
35 ~~systems as required in Parts 9, 141, and 142 of Title 40 of the~~
36 ~~Code of Federal Regulations.~~

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